

JUL 26 2005

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

JAMES W. McCORMACK, CLERK
By: V. Turner
DEP CLERK

MICHELLE DIANE BROWN
ADC #703194

PLAINTIFF

V. NO. 1:03CV00112 SWW

MICHELLE D. WILLIAMS, et al

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition received from Magistrate Judge Jerry Cavaneau. There have been no objections. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, Defendants' motion for summary judgment (docket entry #30) is hereby granted and Plaintiff's Eighth Amendment excessive force and First Amendment potential retaliation/harm claims are dismissed with prejudice for failure to state a claim. The Court declines to accept supplemental jurisdiction over Plaintiff's remaining state law claims. Additionally, any pending motions are denied as moot.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an in forma pauperis appeal from this order adopting the recommendations, and any judgment entered hereunder, would not be taken in good faith. Further, this dismissal counts as a "strike" as frivolous pursuant to 28 U.S.C. § 1915(g).

IT IS SO ORDERED this 26th day of July, 2005.

[Signature]
UNITED STATES DISTRICT JUDGE